

A COURT AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

NOTICE OF CLASS ACTION SETTLEMENT

Jane Roe v. Frito-Lay, Inc., Case No. 3:14-CV-00751 HSG (N.D. California)

A SETTLEMENT HAS BEEN REACHED IN A CLASS ACTION LAWSUIT CLAIMING THAT FRITO-LAY, INC. (“FRITO-LAY”) VIOLATED THE FAIR CREDIT REPORTING ACT.

- Plaintiff claims that Frito-Lay violated 15 U.S.C. §1681b(b)(3) by failing to provide job applicants with a copy of their background check report and summary of their rights under the Fair Credit Reporting Act before rejecting their employment application based on information disclosed on the report.
- Frito-Lay vigorously denies that it violated any law but has agreed to the settlement to avoid the uncertainties and expenses associated with continuing the case. The court has not yet ruled in favor of either side. Nevertheless, the parties have reached a nationwide settlement *which affects your legal rights*.

Your Legal Rights and Options in this Settlement

Your legal rights are affected whether or not you act. Please read this notice carefully!

Do Nothing	You will receive a payment (estimated to be approximately \$_____) in exchange for giving up your right to sue Frito-Lay in connection with any employment background reports Frito-Lay obtained on you at any time between December 20, 2011 and February 28, 2014.
Exclude Yourself	You will not receive any payment under this settlement. This is the only option that allows you to be part of any other lawsuit or legal action against Frito-Lay about the matters being resolved in this settlement. If you decide to exclude yourself (“opt out”), you must do so on or before [DATE]
Object	Write to the Court about why you object to the settlement.
Go to a Hearing	Ask to speak in Court about the fairness of the settlement.

*** * * CONTINUED ON THE OTHER SIDE * * ***

Am I a Class Member? Records indicate that you are a Class Member. The Settlement Class includes all individuals residing in the United States who were the subject of a background check report obtained by Frito-

Lay for employment purpose between December 20, 2011, and February 28, 2014, and (1) for whom a disposition of “Background Check Review – Fail” or “Criminal Background Fail” was entered in Frito-Lay, Inc.’s applicant tracking system; and/or (2) whose report was updated following a dispute with Frito-Lay’s background check vendor; and/or (3) whose applicant file includes a letter or letters sent to the applicant on the basis of the applicant’s failure of a pre-employment background check.

What Can I Get? If the settlement is approved by the Court, you will receive a payment, estimated to be \$_____ (_____). The total settlement fund is currently \$950,000.00. The amount you ultimately receive will vary depending on the amount of (1) attorneys’ fees and expenses awarded, (2) service awards to the Named Plaintiff (“Jane Roe”), and (3) the cost of administering this settlement. You may also receive an additional payment, depending on the number of class members who fail to cash their payment checks within 60 days of the mailing.

How Do I Get a Payment? You do not have to do anything. If and when the Court finally approves the settlement, you will receive a payment check at the same address this notice was mailed to.

What are My Other Options? You may exclude yourself from the Settlement Class by sending a letter to the settlement administrator no later than October 11, 2016. In your request, you must state in writing your desire to be excluded or “opt out” from the Settlement Class, and you must include your name, address, telephone number, and last four digits of your Social Security number. If you exclude yourself, you cannot get a settlement payment, but you keep any rights you may have to sue Frito-Lay over the legal issues in the lawsuit.

If you do not exclude yourself, you and/or your lawyer have the right to appear before the Court and/or object to the proposed settlement. Your written objection must be filed no later than October 11, 2016. Specific instructions about how to object to, or exclude yourself from, the settlement are available at www.____.com. You can also find a sample exclusion or “opt-out” request form on the website.

Who Represents Me? The Court has appointed a team of lawyers from DHF Law, PC, A New Way of Life Reentry Project, and Girardi Keese as Class Counsel. They will petition to be paid legal fees out of the settlement fund. You may hire your own lawyer at your expense if you choose.

When Will the Court Consider the Proposed Settlement? The Court will hold the Final Approval Hearing at [__ a.m./p.m.] on [____/____/2016] at 450 Golden Gate Ave, San Francisco, California. At that hearing, the Court will: hear any objections concerning the fairness of the settlement; determine the fairness of the settlement; decide whether to approve Class Counsel’s request for attorneys’ fees and expenses of up to 33 1/3% of the settlement fund; and decide whether to award the Named Plaintiff up to \$10,000 from the settlement fund.

**ADDITIONAL INFORMATION ABOUT THE LAWSUIT, THE SETTLEMENT,
AND YOUR RIGHTS AND OBLIGATIONS IS ON THE SETTLEMENT
WEBSITE, www.____.com**

**If you do not have access to a computer, or have additional questions, you can telephone the
Settlement Administrator at 1-800-XXX-XXX for assistance and information.**

PARA UNA NOTIFICACION EN ESPANOL, LLAMAR O VISITAR NUESTRO WEBSITE